

**Statement of
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**Before the
Subcommittee on National Parks, Recreation and Public Lands
Committee on Resources
United States House of Representatives**

**On
H.R. 3283 - the Federal Lands Recreation Enhancement Act**

May 6, 2004

Mr. Chairman and Members of the Subcommittee:

Thank you for the opportunity to appear before you today to discuss the Department's views on H.R. 3283, the Federal Lands Recreation Enhancement Act. The Department supports H.R. 3283 and wants to work with the Subcommittee and the bill sponsors on submissions of technical correction amendments to the bill. Specifically, the Department recommends clarifying that individuals who have a permanent disability are eligible for discount passes; commissions, reimbursements and discounts should be provided for private vendors who sell the Federal Lands Recreational Pass, how volunteers should be used; and the law enforcement provision.

The Recreational Fee Demonstration program (Fee Demo), first authorized by Congress in 1996, has given the Forest Service, National Park Service, U.S. Fish and Wildlife Service, and the Bureau of Land Management a great opportunity to test the notion of user-generated cost recovery, where fees are collected and expended onsite to provide enhanced services and facilities. Current authorization expires on

December 31, 2005. The Administration in its FY 2005 Budget requests that the recreation fee demo program become permanent. A permanent recreation fee program, as outlined in H.R. 3283, would allow the Forest Service, along with Department of the Interior agencies, the opportunity to make long-term investments and address maintenance backlogs, continue to build further on successes of the current demo program, improve efficiencies, and initiate more partnerships.

A permanent recreation fee program will enhance recreational facilities, settings, and services for the public to use. While the idea of charging fees for recreational use on the national forests has been controversial in some cases, taxpayers generally benefit when the cost of public services are at least partially borne by the direct users of these services. Since visitors to Federal lands receive some benefits that do not directly accrue to the public at large, charging a modest fee to partially offset the cost of that use is both fair and equitable. This principle underlies permanent fee authority under the Land and Water Conservation Fund Act (LWCFA). Over the years, surveys conducted regarding recreation fees indicate that most people accept modest fees, especially when they know that the fees are returned to the site where they are collected to enhance their recreation experience.

Implementation of the Recreational Fee Demonstration Program

Over the past eight years all agencies involved in Fee Demo have experimented with fees and learned many lessons. Fee Demo was designed to allow flexibility in implementation and to be broad enough to allow agencies to experiment with different types of fee programs. The Departments continue to study, evaluate, and improve the fee program within individual agencies, sharing our learning experiences along the way. It has taken time to understand the results of these experiences, but the Forest Service is moving aggressively to address concerns that have arisen. Based upon what we have learned, the agency has adopted many changes in implementing Fee Demo since the first project was established in 1997.

In January 2004, the Forest Service started implementing the Blueprint for Forest Service Recreation Fees (Blueprint). The Blueprint was developed based on lessons learned in the first years of the program and establishes consistent national criteria for how the recreation fee program will be implemented. The goal of the Blueprint is to have a consistent national policy to provide high-quality recreation sites, services, and settings that enhance the visitor's experience and protect natural and cultural resources. By implementing the Blueprint, the Forest Service is addressing public and Congressional concerns to ensure recreation fees are: (1) convenient (making it as easy as possible for visitors to comply with fee requirements); (2) consistent (visitors expect a similar fee for similar activities, facilities, and services; thus a fee program will be established only where certain amenities or services are provided); (3) beneficial (demonstrating the added value the visitor receives in exchange for fees); and (4) accountable (building trust by informing the public of program investments and performance).

Each unit that is participating in Fee Demo has reviewed how its current fee program fits with the Blueprint. Those projects that did not conform to the national criteria have been changed. All new projects will follow the Blueprint criteria. Some changes that have been made include:

- The Enterprise Forests in Southern California (the Angeles, Cleveland, Los Padres and San Bernardino National Forests) that have implemented the Adventure Pass Program have identified four free areas where the pass is not required, in addition to designating 12 free days for all sites where a fee will not be charged. This approach was implemented in response to public comments to provide areas where a fee will not be charged on the national forests covered by the Adventure Pass.
- The National Forests in Oregon and Washington have identified 385 sites where a pass will not be required on those forests implementing the Northwest Forest Pass program. This change will mean that only 679, instead of 1,064, day-use recreation sites on national forests in the Pacific Northwest will be included in the Northwest Forest Pass.

- Twenty-one trailheads have been removed from the Sawtooth National Forest Trailhead-Parking Pass Recreation Fee Project. Only 17 of the 38 trailheads in the Sawtooth project met the Blueprint criteria. The Agency will no longer charge fees at the 21 trailheads that do not meet the definition for a significantly developed day-use site.

H.R. 3283 - the Federal Lands Recreation Enhancement Act

The Department supports H.R. 3283, which would establish a permanent recreation fee program for the Forest Service, the National Park Service, the United States Fish and Wildlife Service and the Bureau of Land Management, but would like to work with the Subcommittee and bill sponsors on the submission of technical correction amendments to clarify the bill. Specifically, H.R. 3283 provides: (1) establishment of principles for a recreational fee program; (2) promotion of interagency coordination; (3) establishment of an interagency national pass; (4) collaborative agreements with Federal, State, county, or gateway communities; (5) establishment of site-specific agency and regional multi-entity passes; (6) provision for basic and expanded recreation fees; (7) communication with the public regarding use of revenues; (8) provision of additional authorities to implement the program; and (9) provision of criteria for accountability and control of revenues collected.

1. Establishment of Principles for a Recreational Fee Program

Section 2(b) in H.R. 3283 would establish seven principles for implementing a permanent recreation fee program, i.e., that fees should be beneficial to the visiting public, fair and equitable, efficient, collaborative, convenient, accountable, and consistent. These are the same guiding principles established by the Interagency Recreational Fee Council (Fee Council) in 2002. The Fee Council, chaired by Assistant Secretary Lynn Scarlett and Under Secretary Mark Rey, was developed to provide leadership and consistency for the agencies implementing Fee Demo. The Department believes an essential aspect of a permanent recreation fee program is that the majority of fees are retained and spent at the site where they are collected to enhance resources, facilities, activities, services, and programs used by the visiting public. In implementing these guiding principles the agencies, wherever possible or appropriate, have coordinated fees with private, local, and

State entities and each other to minimize overlapping costs and simplify fees for the visiting public.

Federal lands have provided Americans and visitors from around the world with special places for recreation, education, reflection and solace. The pattern of recreation on our Federal lands has changed dramatically and has increased significantly. More than ever before, Americans are choosing to recreate on all Federal lands, in particular on National Forests. The Forest Service has estimated that over 211 million annual visits occur on National Forests, a two-fold increase since the 1960s. This increase in visitation means an increase in visitor demand for adequate visitor facilities and services.

Since the inception of Fee Demo in 1996, the Forest Service has shown it can manage a recreational fee program that provides numerous benefits to the American public. Fee Demo has generated over \$161 million to enhance the visitor experience at 105 projects in 123 National Forests and National Grasslands across 36 States and Puerto Rico. In 2003, the Agency's program generated \$38.8 million. The funds from this program have made a crucial difference in providing quality recreation services to the public, reducing the maintenance backlog, enhancing facilities, improving visitor services and operations, strengthening public safety and security, developing new partnerships, educating America's youth, and conserving natural resources. Some examples of these benefits include:

- Maintaining 465 miles of trail on the Deschutes National Forest in Oregon.
- Removing hazardous trees along a 92-mile trail system on the Wayne National Forest in Ohio in 2003 to reduce the danger of fallen trees and hanging limbs across 45,000 acres after a heavy ice storm.
- Installing target walkways, shooting tables, and a sound abatement berm at the Scioto Shooting Range on the Cherokee National Forest in Tennessee.
- Replacing 8 picnic tables, 40 fire rings with grills, and 1 water tank on the Klamath National Forest in California.

- Upgrading concrete walkways and paths for better accessibility at the Payette River Recreation Complex on the Payette National Forest.

2. Promotion of Interagency Coordination

H.R. 3283 would authorize an interagency recreation fee program by allowing the Secretary to establish guidelines for implementing a permanent recreation fee program. Such a program would enhance coordination among agencies and create a seamless, collaborative, efficient, and effective fee program that is well understood by the public. The program would give Federal land management agencies an opportunity to improve the recreational facilities under their management and enhance the experience of the visiting public. Whether a person is visiting a day-use site like a trailhead, or recreating at a developed campground, visitors to public lands expect the same amenities, facilities, and services as those enjoying a national park.

As Assistant Secretary Lynn Scarlett stated, examples of areas where the public does not differentiate between land management agencies, but expects the same amenities and use of the land in similar locations, is the red rocks areas in Nevada, Arizona, and Utah. Visitors to these areas can recreate on lands managed by the Bureau of Land Management (Red Rock Canyon National Conservation Area in Nevada), lands managed by the Forest Service (the Sedona Red Rocks Area in Arizona), and lands managed by the National Park Service (Arches National Park in Utah). In all three areas, similar recreation opportunities exist within the various natural settings and opportunities vary depending on the area selected. Public expectations in most instances, though, for the same amenities and services in each area are the same.

Some examples of interagency efforts to create a seamless, consistent fee program include:

- In April 2003, the Forest Service dramatically broadened the application of the Golden Eagle Passport program to provide interagency application and benefits. This change was based on guidance from the Fee Council, which

worked to facilitate coordination and consistency among the agencies on implementation of recreation fee policies. The Council developed standards for a new fee structure to replace the outdated entrance and use fees established under the LWCFA. Using the framework of this new fee structure, the agency started accepting the Golden Eagle, Golden Age, and Golden Access Passports at all Forest Service sites that charge a basic fee. Previously, only 18 Forest Service sites accepted these passports; now over 1500 sites accept them.

- Starting in March 2003, Federal and State agencies in Washington and Oregon are for the first time offering a convenient interagency day-use recreation pass that is accepted at many public day-use fee areas. The Washington and Oregon Recreation Pass is an add-on to the existing Golden Eagle Passport program and will be honored at all National Forest, National Park Service, Bureau of Land Management, and U.S. Fish and Wildlife Service sites, in addition to 26 Oregon State Parks charging a day-use fee, 20 Washington State Parks charging a daily vehicle parking fee, and 6 Army Corps of Engineers sites charging facility use fees.

3. Establishment of an Interagency National Pass

Section 8 in H.R. 3283 would create an interagency national pass called America the Beautiful-the National Parks and Federal Recreational Lands Pass. This pass system would consolidate the Golden Passport program established under the LWCFA and the National Parks Passport (established in 2001), into an interagency pass to decrease visitor confusion. Currently the Golden Eagle, Golden Age, and Golden Access Passports are accepted on Forest Service units that charge an entrance or basic use fee. However, the National Parks Pass is not accepted on those units, as this pass is valid only at National Parks, unless the pass has been upgraded with a Golden Eagle hologram. An interagency national pass would provide value to recreational users of Federal lands managed by multiple agencies. This type of pass would provide a convenient, cost-effective alternative to the purchase of multiple-agency passes.

4. Collaborative Agreements with Federal, State, County, or Gateway Communities

Section 4 in H.R. 3283 would allow the Secretary to establish agreements with any

governmental or nongovernmental entities to provide fee collection and processing services, including visitor reservation services. This section would provide authority for Federal land management agencies to engage in partnerships with State, county, other Federal agencies, gateway communities, or local organizations in implementing a permanent recreational fee program. Partnerships allow the Federal land management agencies to enlist others to help meet the recreational demand of the visiting public.

The Agency has developed numerous partnerships and agreements over the years to help us to deliver a successful program. Along the South Fork of the Snake River in Idaho, a partnership between Federal, State, and local entities has evolved to cooperatively manage recreation sites spread along a 62-mile stretch of the Snake River. The use of fees collected from boat launching and other activities in the river corridor is determined on a consensus basis by the partnership, regardless of which jurisdiction collects the fee. The partnership includes the Forest Service (Caribou-Targhee National Forest), the Bureau of Land Management, the Idaho Department of Fish and Game, and Madison, Bonneville, and Jefferson Counties. Revenues from the project have been used to provide restroom facilities and litter control along the river.

The Forest Service has established fee management agreements that have helped the agency provide needed safety and emergency services at recreation sites. In Arizona, the Tonto National Forest has an agreement with the Maricopa and Gila County Sheriff's Offices to provide additional law enforcement personnel and emergency medical service teams at recreation lakes on busy weekends and holidays.

5. Establishment of Site-Specific Agency and Regional Multi-Entity Passes

H.R. 3283 would allow agencies to establish site-specific agency or regional multi-

entity passes in addition to an interagency national pass. In some cases, regional passes meet the needs of visitors who want to recreate only in a certain area or state. The Washington and Oregon Recreation Pass is a good example of a regional pass that crosses many jurisdictional boundaries. Another example of a regional pass is the Visit Idaho Playground Pass.

The Visit Idaho Playground Pass is an interagency program operated by the Forest Service, Bureau of Land Management, Bureau of Reclamation, National Park Service, and the Idaho Department of Parks. The pass is valid for those who choose to recreate on Federal lands in Idaho. Passes are available for purchase via a website or a toll-free number for visitor convenience. Revenues are shared according to a formula in the business plan, and directed back to the recreation sites for improvements in facilities and services.

6. Provision for Basic and Expanded Recreation Fees

Sections 5 and 6 in H.R. 3283 would allow the Secretary to charge a basic or an expanded fee in certain locations and sites on National Forests. This new system of basic and expanded recreation fees would minimize layering, which has resulted from agencies charging both entrance and use fees at the same site, based on fee practices carried over from the LWCFA. Under the LWCFA, entrance fees can be charged only at certain sites, such as a national park or a national monument. Use fees are charged for use of a site or facility, not entrance into a particular site. The current entrance and use fee structure has created some inconsistency among and within agencies, which has led to visitor confusion and frustration about what constitutes an entrance fee and what constitutes a use fee.

Under the new system identified in H.R. 3283, the basic fee would be charged by all Federal land management agencies in an area that has some expenditure in services and facilities, and an expanded fee would be charged for additional facilities or

amenities, such as a developed campground or boating area, for specialized interpretative services, or for a transportation system.

7. Communicating with the Public Regarding Use of Revenues

Section 11 of H.R. 3283 states that the Secretary shall post clear notice of the basic recreation fee and available recreation passes at appropriate locations in each unit or area of a Federal land management agency where a basic recreation fee is charged, and shall post clear notice of locations where work is performed using collected recreation fee or recreation pass revenues. The Department believes that any permanent recreation fee authority should provide for the agencies to be accountable to Congress and the public by reporting where revenues are being expended and identifying what work has been accomplished using collected fees.

8. Provision of Additional Authorities to Implement the Program

H.R. 3283 provides additional authority for the use of volunteers and law enforcement and security with respect to fee collection and establishes guidelines for depositing and distributing fee revenues. On some National Forests, the Agency has implemented Fee Demo utilizing a large cadre of volunteers to sell recreation fee passes, maintain trails, clean facilities, refurbish buildings and archaeological sites, and provide educational programs. Without volunteers in many instances, work would not get accomplished and fee revenues would not be leveraged with partner funding to complete projects. H.R. 3283 would allow the Secretaries to award a fee waiver, a discount, or an interagency national or regional pass in exchange for significant volunteer services.

An important component of a permanent recreation fee program is enforcement of fee payment and security for receipts, which H.R. 3283 establishes in section 15 of the bill. For implementation to be fair and equitable, a recreation fee program must ensure that everyone who uses facilities and services for which a fee is charged pays the fee. Security of the revenues collected and the Federal equipment used to collect

the fees must be provided in any permanent recreation fee program.

9. Provision of Criteria for Accountability and Control of Revenues Collected

Accountability is one of the guiding principles established by the Fee Council. In accordance with this principle, the Forest Service is collecting good data and reporting annually to Congress on administration of Fee Demo. Fee Demo revenues and expenditures are accounted for separately from appropriated funds, which is consistent with program authority and Federal accounting standards. H.R. 3283 would allow the Secretaries to work with the Secretary of the Treasury to establish separate accounts to track fee revenues and expenditures.

Conclusion

The Department supports H.R. 3283 and we've learned a great deal from our experiences in administering Fee Demo over the past eight years. It is time to make the recreational fee program permanent. The Department is eager to work with the Subcommittee, the sponsors of H.R. 3283, the Department of the Interior, and our partners on clarifying amendments. This concludes my statement. I would be happy to answer any questions you may have.